

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA,  
  
Plaintiff,

14 Cr. 68 (KBF)

DECLARATION OF ROSS  
ULBRICHT REGARDING NON-  
WAIVER OF RIGHTS

-v-

ROSS WILLIAM ULBRICHT,  
  
Defendant.

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I, Ross Ulbricht, pursuant to 28 U.S.C. § 1746, hereby affirm under penalty of perjury:

I am the defendant in this case and I state the following to be true:

1. I was represented during pre-trial and trial proceedings, including sentencing, by three lawyers, Joshua Dratel, Lindsay Lewis, and Joshua Horowitz.
2. I did my best to study, understand and exercise my rights throughout all stages of pre-trial and trial proceedings. I asked my counsel to explain to me all legal proceedings in my case and all of my rights in my case.
3. I did my best to assert my rights whenever given the opportunity to exercise my rights.
4. I understand that I have various fair trial and due process rights as a criminal defendant, rights guaranteed by the Fifth and Sixth Amendments to the United States Constitution.
5. I consider my fair trial and due process rights as fundamental and important rights I would not waive or compromise or surrender.

6. I never knowingly or intentionally waived any of my fair trial and due process rights, before or during trial, with the exception that I did exercise the right not to testify at my trial, an action which could be viewed as having waived the right to testify.

7. I did not knowingly or intentionally waive my right to trial by a fair and impartial jury.

8. I did not knowingly or intentionally waive my right to have my trial presided over by a fair and impartial judge.

9. I did not knowingly or intentionally waive my right to a public and speedy trial.

10. I did not knowingly or intentionally waive my right to be present at all critical stages of my case and my trial.

11. I did not knowingly or intentionally waive my right to object to being denied any of my fair trial and due process rights.

12. I did not knowingly or intentionally waive my right to request the trial court recuse itself based on actual or apparent bias.

13. I did not knowingly or intentionally waive my right to participate in any of the trial proceedings.

14. I did not knowingly or intentionally waive my right to the presumption of innocence, nor did I consent to, or waive my right to object to, the compromise or erosion of that right.

15. I did not knowingly or intentionally waive my right to object to improper or prejudicial remarks from the trial court.

16. I did not knowingly or intentionally waive my right to object to being excluded from critical stages of the trial proceedings.

17. I did not knowingly or intentionally waive my right to object to improper and prejudicial

interventions by the trial court in trial proceedings.

18. I did not knowingly or intentionally waive my right to any of the fair trial or due process protections afforded by the Constitution, statutes, or rules governing trial procedures.

19. I did not authorize my counsel to waive any of my fair trial or due process rights, including, but not limited to, the specific rights mentioned above. Since my counsel had a duty of loyalty to me, I had every reason to expect that my counsel would at all times protect, and not ignore, compromise, or impair my rights.

20. My counsel did not ask me to waive any of my fair trial or due process rights.

21. If my counsel knowingly or intentionally ignored, failed to protect, compromised or impaired my rights, then counsel betrayed his duty of loyalty.

22. I did not knowingly or intentionally waive my right to object to my counsel betraying or breaching his duty of loyalty.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 1st day of February, 2018.

  
Ross Ulbricht